



CALIFORNIA STATE BOARD OF EDUCATION

JULY 2004 AGENDA

☒ Specific Waiver

SUBJECT Request by Beverly Hills Unified School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 18-5-2004	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

☒ Approval ☐ Approval with conditions ☐ Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Waivers of this type normally go to the State Board of Education Consent Calendar, as there is a statutory basis for the approval recommendation.

SUMMARY OF KEY ISSUES

Education Code (EC) Section 49550 states that each needy child who attends a public school be provided a nutritionally adequate free or reduced-price meal every school day. The following district has requested a waiver of EC Section 49550 for the summer of 2004, and has certified their compliance with all required conditions necessary to obtain a waiver.

EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met *at least two* of the following four criteria:

- 1) The summer school session is of less than four hours duration and is completed by noon, allowing pupils to go home during the lunch period.
- 2) Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.
- 3) A Summer Food Service Program for Children site is available within the school attendance area.
- 4) Serving meals during the summer school session would result in a financial loss to the school district, documented by the district, in an amount equal to one-third of the food service net cash resources or, if those cash resources are nonexistent, an amount equivalent to one month's operating costs.

Authority for the Waiver: *Education Code* (EC) Section 49548.

Bargaining unit(s) consulted on date(s): Not required for summer school waivers.

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Position of bargaining unit(s) (choose only one): Not required for summer school waivers.

☐

Neutral

☐

Support

☐

Oppose

Name of bargaining unit(s)/representative(s): Not required for summer school waivers.

Local board approval date(s): see table below.

Type the district name: see table below.

Period of request: see table below.

Agreement number:	District name(s):	Effective Period of request(s)	Local Board Approval:	Criteria being met:	Waiver number:
19-64311-0-01	Beverly Hills USD	06/23/04 to 07/27/04	05/11/04	<input checked="" type="checkbox"/> a) <input checked="" type="checkbox"/> b) <input type="checkbox"/> c) <input type="checkbox"/> d)	18-5-2004

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver may reduce the draw on Proposition 98 funds at the State level. Local district finances may be affected.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office